

HOUSE BILL No. 1538

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-26-12-24; IC 20-33-5-7.

Synopsis: Supplemental teaching materials. Provides that a school committee of teachers and parents may make recommendations to a governing body for supplemental materials to be used in the classroom to encourage students to develop critical thinking skills regarding controversial issues. Provides that supplemental teaching materials are eligible for reimbursement in the same manner as developmentally appropriate materials.

Effective: July 1, 2009.

Noe

January 16, 2009, read first time and referred to Committee on Education.

C
o
p
y



Introduced

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

HOUSE BILL No. 1538

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 20-26-12-24, AS ADDED BY P.L.1-2005,
2 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2009]: Sec. 24. (a) The superintendent shall establish
4 procedures for textbook adoption. The procedures must include the
5 involvement of teachers and parents on an advisory committee for the
6 preparation of recommendations for textbook adoptions. The majority
7 of the members of the advisory committee must be teachers, and at
8 least forty percent (40%) of the committee must be parents. These
9 recommendations shall be submitted to the superintendent in
10 accordance with the established procedures in the local school
11 corporation.
12 (b) The governing body, upon receiving these recommendations
13 from the superintendent, shall adopt from the state textbook adoption
14 lists a textbook for use in teaching each subject in the school
15 corporation.
16 (c) A special committee of teachers and parents may also be
17 appointed to review books, magazines, and audiovisual material used

2009

IN 1538—LS 7380/DI 71+



C
o
p
y

or proposed for use in the classroom to supplement state adopted textbooks and may make recommendations to the superintendent and the governing body concerning the use of this material. **Supplemental materials recommended under this subsection may be used to assist students in developing critical thinking skills regarding controversial issues.**

(d) A textbook selected shall be used for the lesser of:

(1) six (6) years; or

(2) the effective period of the state board's adoption of that textbook.

(e) A selection may be extended beyond that period for up to six (6) years if the governing body is granted a waiver under section 28 of this chapter.

SECTION 2. IC 20-33-5-7, AS ADDED BY P.L.1-2005, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 7. (a) If a determination is made that the applicant is eligible for assistance, the school corporation shall pay the cost of the student's required fees.

(b) A school corporation may receive a reimbursement from the department for some or all of the costs incurred by a school corporation during a school year in providing textbook assistance to students who are eligible under section 2 of this chapter.

(c) To be guaranteed some level of reimbursement from the department, the governing body of a school corporation shall request the reimbursement before November 1 of a school year.

(d) In its request, the governing body shall certify to the department:

(1) the number of students who are enrolled in that school corporation and who are eligible for assistance under this chapter;

(2) the costs incurred by the school corporation in providing:

(A) textbooks (including textbooks used in special education and high ability classes) to these students;

(B) workbooks and consumable textbooks (including workbooks, consumable textbooks, and other consumable instructional materials that are used in special education and high ability classes) that are used by students for not more than one (1) school year; ~~and~~

(C) instead of the purchase of textbooks, developmentally appropriate material for instruction in kindergarten through the grade 3 level, laboratories, and children's literature programs; **and**

(D) supplemental materials recommended under IC 20-26-12-24(c);

C
o
p
y



(3) that each textbook described in subdivision (2)(A) and included in the reimbursement request (except those textbooks used in special education classes and high ability classes) has been adopted by the state board under IC 20-20-5-1 through IC 20-20-5-4 or has been waived by the state board of education under IC 20-26-12-28;

(4) that the amount of reimbursement requested for each textbook under subdivision (3) does not exceed twenty percent (20%) of the costs incurred for the textbook, as provided in the textbook adoption list in each year of the adoption cycle;

(5) that the amount of reimbursement requested for each workbook or consumable textbook (or other consumable instructional material used in special education and high ability classes) under subdivision (2)(B), if applicable, does not exceed one hundred percent (100%) of the costs incurred for the workbook or consumable textbook (or other consumable instructional material used in special education and high ability classes);

(6) that the amount of reimbursement requested for each textbook used in special education and high ability classes is amortized for the number of years in which the textbook is used;

(7) that the amount of reimbursement requested for developmentally appropriate material is amortized for the number of years in which the material is used and does not exceed a total of one hundred percent (100%) of the costs incurred for the developmentally appropriate material; ~~and~~

(8) that the amount of reimbursement requested for supplemental material described in subdivision 2(D) is amortized for the number of years in which the material is used and does not exceed a total of one hundred percent (100%) of the costs incurred for the material; and

~~(8)~~ **(9) any other information required by the department, including copies of purchase orders used to acquire consumable instructional materials used in special education and high ability classes, ~~and~~ developmentally appropriate material, and supplemental material.**

(e) Each school within a school corporation shall maintain complete and accurate information concerning the number of students determined to be eligible for assistance under this chapter. This information shall be provided to the department upon request.

(f) If the amount of reimbursement requested before November 1 of a particular year exceeds the amount of money appropriated to the

C
o
p
y



1 department for this purpose, the department shall proportionately
2 reduce the amount of reimbursement to each school corporation.

3 (g) A school corporation may submit a supplemental reimbursement
4 request under section 8 of this chapter. The school corporation is
5 entitled to receive a supplemental reimbursement only if there are
6 funds available. The department shall proportionately reduce the
7 amount of supplemental reimbursement to each school corporation if
8 the total amount requested exceeds the amount of money available to
9 the department for this purpose. In the case of a supplemental
10 reimbursement, the provisions in this section apply, except that section
11 8 of this chapter applies to the making of the supplemental request by
12 the governing body of the school corporation.

13 (h) Parents receiving other governmental assistance or aid that
14 considers educational needs in computing the entire amount of
15 assistance granted may not be denied assistance if the applicant's total
16 family income does not exceed the standards established by this
17 chapter.

**C
o
p
y**

